GOVERNMENT OF INDIA
DEFENCE
LOK SABHA

UNSTARRED QUESTION NO:6475
ANSWERED ON:09.05.2002
CODE OF CONDUCT OF SUMMARY COURT MARTIAL
MANJAY LAL

Will the Minister of DEFENCE be pleased to state:

(a) whether the maximum court martial proceedings against armymen are on simple matters and the Government always embarrasses upon interference of High Courts and Supreme Court; and

(b) if so, the reasons for not considering to change the code of conduct of summary court martial keeping in mind the Human Right Commission`s recommendations?

Answer

MINISTER OF DEFENCE (SHRI GEORGE FERNANDES)

(a) No, Sir.

(b) Provisions for conducting Court Martials, including Summary Court Martial, are contained in the Army Act and Army Rules and Regulations which are amended as and when necessary, keeping in view the various relevant factors on the subject. Ministry of Defence is not aware of any recommendations of National Human Rights Commission in this regard.